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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,219	04/01/2004	Brandon Maldonado	Maldon.B-03	2435
22197	7590	08/23/2005	EXAMINER	
GENE SCOTT; PATENT LAW & VENTURE GROUP 3140 RED HILL AVENUE SUITE 150 COSTA MESA, CA 92626-3440			BONANTO, GEORGE P	
			ART UNIT	PAPER NUMBER
			2855	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/817,219	Applicant(s) MALDONADO, BRANDON	
	Examiner George P. Bonanto	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4 May 2005</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: page 2, line 21 contains the phrase, "indicator show adequate, marginal and underinflated conditions." The word "show" should be deleted and the word "shows" should be inserted in its place. Appropriate correction is required.

The disclosure is objected to because of the following informalities: page 3, line 29 to page 1 line 1 contains the phrase, "Me base portion has an opening." Appropriate correction is required.

The disclosure is objected to because of the following informalities: page 7, line 23 contains the phrase "by way of c2iample." The word "c2iample" should be deleted and the word "example" should be inserted in its place. Appropriate correction is required.

The disclosure is objected to because of the following informalities: page 10, line 12 has a large space, which should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 11 includes the claim element "compression fastener." The

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compression fastener of claim 11 is not described in the specification, and, therefore, is only supported to the extent that it is well known in the art. It is unclear which known compression fastener is used, and how.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,293,297 to Maldonado et al.

As to claim 1, Maldonado et al. disclose a tire pressure indicating apparatus with opposing proximal and distal ends comprising an inner cylinder having a reduced diameter portion and a proximally disposed transverse aperture (inner body sidewall 60 and capping means 70, Fig. 4) an outer cylinder having a distally disposed transverse hole (outer body sidewall 20 and either window 30 or access means 150, Fig. 4) the inner and outer cylinders coaxially disposed and sealingly engaged distally (Fig. 4) thereby forming a cylindrical space therebetween (space volume 155, Fig. 4) a cylindrical piston within the cylindrical space slidably urged proximally by a coil spring (pressure level indicating means 120 and spring 140, Fig. 4) a cylindrical seal separating the space between a higher pressure proximal zone and a lower pressure distal zone (circular sealing rings 22 and 66, Fig. 4) the seal moving with the piston (col. 4, line 53) and a mounting cylinder air-tight sealingly engaged with the outer cylinder and

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terminating proximally with a tire air valve (bottom portion of cylindrical outer body 10 including threads and valve depressing rod 40, Fig. 4).

As to claim 2, Maldonado et al. further disclose that the outer cylinder provides a viewing means positioned for observing the piston (window 30, Fig. 4).

As to claim 3, Maldonado et al. further disclose that the piston is marked to indicate a tire pressure condition (indicator rings 124, Fig. 4).

As to claim 4, Maldonado et al. further disclose a threaded nipple distally terminating the inner cylinder (airline receiving means 90, Fig. 4).

As to claim 5, Maldonado et al. further disclose that the threaded nipple comprises an air inlet valve (air valve 110, Fig. 4).

As to claim 6, Maldonado discloses a tire pressure indicating apparatus with opposing proximal and distal ends comprising an inner cylinder having a reduced diameter portion and a proximally disposed transverse aperture (inner body sidewall 60 and capping means 70, Fig. 4) an outer cylinder having a distally disposed transverse hole (outer body sidewall 20 and either window 30 or access means 150, Fig. 4) the inner and outer cylinders coaxially disposed and sealingly engaged distally (Fig. 4) thereby forming a cylindrical space therebetween (space volume 155, Fig. 4) a cylindrical piston within the cylindrical space slidably urged proximally by a coil spring (pressure level indicating means 120 and spring 140, Fig. 4) a cylindrical seal separating the space between a higher pressure proximal zone and a lower pressure distal zone (circular sealing rings 22 and 66, Fig. 4) the seal movable with the piston (col. 4, line 53) the apparatus terminating proximally with a tire wheel mounting means for mounting the apparatus on a tire wheel (bottom portion of cylindrical outer body 10 including threads and valve

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depressing rod 40 attach, Fig. 4, attach by means of valve stem 130, Fig. 1, to tire wheel, col. 4 lines 20-26).

As to claim 7, Maldonado et al. further disclose that the outer cylinder provides a viewing means positioned for observing the piston (window 30, Fig. 4).

As to claim 8, Maldonado et al. further disclose that the piston is marked to indicate a tire pressure condition (indicator rings 124, Fig. 4).

As to claim 9, Maldonado et al. further disclose a threaded nipple distally terminating the inner cylinder (airline receiving means 90, Fig. 4).

As to claim 10, Maldonado et al. further disclose that the threaded nipple comprises an air inlet valve (air valve 110, Fig. 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,293,297 to Maldonado et al as applied to claims 1-10 above in view of U.S. Pat. No. 6,851,308 to Fonteneau.

Maldonado et al. fail to disclose that the tire wheel mounting means comprises a grommet, a cupped washer and a compression fastener.

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Fonteneau discloses a tire wheel mounting means comprising a grommet (portion of valve stem 10 engaging rim 8, Fig. 1) a cupped washer (cup 24, Fig. 1) and a compression fastener (tubular rod 16 and parts 18 and 22, Fig. 1).

It would have been obvious to one of ordinary skill in the art to modify the tire pressure indicating apparatus of Maldonado et al. by attaching it to a wheel rim using the grommet, washer and compression fastener of Fonteneau in order to achieve an air tight seal maintaining tire pressure, while making the apparatus removable so that it can be salvaged in the event of tire or wheel damage,

Conclusion

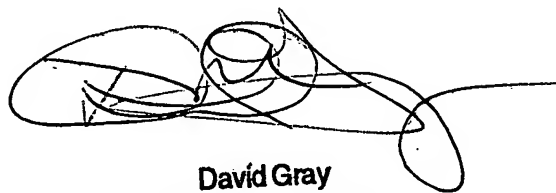
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Pat. Nos. 3,719,198; 3,789,867; 3,990,467; 4,944,323 and 5,979,232 disclose various tire pressure indicators, including those incorporated into valve stems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George P. Bonanto whose telephone number is (571) 272-2182. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

David Gray
Primary Examiner

GPB